

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2054 of 2016

Arising Out of PS.Case No. -582 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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Robin Kumar @ Robin Kumar Singh Son of Sunil Kumar @ Sunil Kumar
Singh resident of village - Chakhussaini, P.S. Mansi, District - Khagaria
..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Adv.

For the Opposite Party/s : Mr. Anish Chandra (App)

For the Informant : Mr. Parmeshwar Mehta, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 03-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of

Khagaria (Chitragupta Nagar) P.S. Case No. 582/2015, disclosing

offences under sections 147, 148, 149, 307, 504, 506 of the Indian

penal Code and section 27 of the Arms Act.

The petitioner is said to be working as Branch Manager in

Allahabad Bank. It is alleged against him that he shot at the father

of the informant causing injuries on his temporal region.

Learned counsel for the petitioner submits that the

petitioner has been maliciously implicated as much before the

alleged date of occurrence, the petitioner's father had lodged an



First Information Report against the wife of the injured. He has further submitted that there is delay of at least 36 hours in lodging the First Information Report without any plausible explanation. He has also submitted that till date there is no report of an expert that the injury found on the temporal region of the injured, which is a lacerated wound, was caused by a fire arm.

Learned counsel for the informant, on the other hand, has opposed the prayer for anticipatory bail and has contended that the petitioner being the main assailant, he should not be given this liberty. He has submitted that the materials have been collected in course of trial showing complicity of the petitioner in the commission of offence. He has further submitted that the injured has fully supported the prosecution case in his statement before the police in course of investigation.

Learned counsel for the informant has not been able to satisfy this Court that the petitioner at any point of time in course of investigation ever attempted to tamper with the evidence. He is an Officer in a Nationalized Bank. In such circumstance, there is no chance that he will be fleeing from the course of justice.

Considering the nature of dispute between the parties and the facts and circumstances, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/

surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Khagaria (Chitragupta Nagar) P.S.Case No. 582/2015, G.R.No. 2206/2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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